

(PCT Article 36 and Rule 70)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/013577

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-9 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-35 _____ received by this Authority on 30.07.2005 with letter of 29.07.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-35</u>	YES
		Claims <u></u>	NO
	Inventive step (IS)	Claims <u>1-35</u>	YES
		Claims <u></u>	NO
	Industrial applicability (IA)	Claims <u>1-35</u>	YES
		Claims <u></u>	NO
2.	Citations and explanations (Rule 70.7)		
	Reference is made to the following documents:		
	D1: US 2003/177566		
	D2: US 4 809 447.		
	Document D1 is considered the prior art closest to the subject matter of claim 1. It discloses (the references between parentheses relate to D1):		
	<p>a garment for the lower leg, in particular socks for protection against chemical and/or biological toxins, consisting of several layers and comprising an outer leg part (22) and a laminate (12, 23, 20) arranged inside the outer leg part (22), which has a flexible, windproof and water-repellent membrane (12) that forms the outer side of the laminate (12, 23, 20) and constitutes at least a barrier against biological toxins, a carbon layer (23), in which carbon in fibre or particle form is present and which is disposed underneath the membrane (12), and an inner textile fabric layer (20).</p>		
	The subject matter of claim 1 therefore differs from that disclosed in document D1 in that the outer leg part (1)		

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	<p>is made of several cut sections, wherein the seams between the cut sections (4, 5, 6) are sealed by a water-tight material.</p> <p>Consequently, the subject matter of claim 1 is novel (PCT Article 33(2)).</p> <p>The problem to be solved by the present application is therefore understood to be that of creating a lower-leg protective garment, in particular a protective sock, which is comfortable and can be worn like a conventional sock or knee sock.</p> <p>The solution to this problem, as suggested in claim 1 of the present application, involves an inventive step (PCT Article 33(3)), for the following reasons:</p> <p>Document D2 discloses a protective sock made of a plurality of sections. A person skilled in the art proceeding from document D2 would in particular not arrive at a sock for protection against chemical and/or biological toxins according to the characterizing part of claim 1. Consequently, claim 1 meets the requirements of PCT Article 33(3).</p> <p>Claims 2-35 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.</p>